

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DANIEL WILKEN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 22-cv-2015
)	
STELLANTIS NV,)	
)	
Defendant.)	

COMPLAINT

JURISDICTION

Jurisdiction lies pursuant to 28 USC 1332 - Diversity of Citizenship. The Defendant, Stellantis NV, is a foreign corporation, incorporated in Hoofddorp, The Netherlands; with its principal place of business in Hoofddorp, The Netherlands, and its North American Headquarters in Auburn Hills, Michigan. The Plaintiff is a citizen and resident of Illinois. Further, the amount in controversy is greater than \$75,000.00, exclusive of costs and interest.

COUNT I - Products Liability

1) That the Defendant, Stellantis NV, is a foreign corporation, incorporated in Hoofddorp, The Netherlands; with its principal place of business in Hoofddorp, The Netherlands, and it's North American Headquarters in Auburn Hills, Michigan; and the owner of Chrysler, which designed, manufactured and sold

a certain 2013 Ram 2500 Longhorn, VIN 3C6UR5LL8DG607489 (herein "the vehicle").

2) That on or about January 3, 2022, and at all times herein mentioned, the Plaintiff, Daniel Wilken, was a citizen and resident of the State of Illinois.

3) That the vehicle was first sold in Illinois, in 2013.

4) That the vehicle was subsequently sold in Illinois, in 2018.

5) That the Plaintiff purchased the vehicle in Illinois.

6) That the vehicle was titled and registered in Illinois.

7) That the vehicle was principally maintained, serviced and repaired in Illinois.

8) That on or about January 3, 2022, Plaintiff was operating the vehicle on Route 69, near Durant, Oklahoma, when the vehicle catastrophically failed; in particular, the drive shaft became detached, and the transfer case was forced through the floor and into the occupant compartment.

9) That the vehicle, when designed, when manufactured, and when it was placed into the stream of commerce, and at all times thereafter, including at all times herein mentioned, was in a defective and unreasonably dangerous condition in that:

- a) The ball bearings, drive shaft and transfer case were unreasonably susceptible to detachment and failure.

10) That as a direct and proximate result of the defective and unreasonably dangerous condition of the vehicle as aforesaid, Plaintiff's leg was crushed, he bled profusely, was airlifted to Baylor Scott & White Medical Center, and ultimately suffered amputation of his right leg, among other injuries. He has suffered permanent pain, mental anguish, disability, disfigurement, and has incurred and become liable for large sums of money in hospital, medical and related expenses and will become liable for additional sums in the future. He has been permanently prevented from attending to his usual affairs and duties and has lost wages and income and will lose additional wages and income in the future, all to his damage in a substantial amount.

WHEREFORE, Plaintiff demands judgment in an amount greater than SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), plus costs and interest.

COUNT II - Negligence

1) That the Defendant, Stellantis NV, is a foreign corporation, incorporated in Hoofddorp, The Netherlands; with its principal place of business in Hoofddorp, The Netherlands,

and it's North American Headquarters in Auburn Hills, Michigan; and the owner of Chrysler, which designed, manufactured and sold a certain 2013 Ram 2500 Longhorn, VIN 3C6UR5LL8DG607489 (herein "the vehicle").

2) That on or about January 3, 2022, and at all times herein mentioned, the Plaintiff, Daniel Wilken, was a citizen and resident of the State of Illinois.

3) That the vehicle was first sold in Illinois, in 2013.

4) That the vehicle was subsequently sold in Illinois, in 2018.

5) That the Plaintiff purchased the vehicle in Illinois.

6) That the vehicle was titled and registered in Illinois.

7) That the vehicle was principally maintained, serviced and repaired in Illinois.

8) That on or about January 3, 2022, Plaintiff was operating the vehicle on Route 69, near Durant, Oklahoma, when the vehicle catastrophically failed; in particular, the drive shaft became detached, and the transfer case was forced through the floor and into the occupant compartment.

9) That the defendant, individually and by and through its agents, servants and employees, was guilty of one or more of the following negligent acts and/or omissions:

- a) Negligently and carelessly designed the ball bearings, drive shaft and transfer case in a manner which generated unnecessary, and therefore excessive, rotation, rendering them susceptible to detachment and failure;
- b) Negligently and carelessly manufactured the ball bearings, drive shaft and transfer case in a manner which generated unnecessary, and therefore excessive, rotation, rendering them susceptible to detachment and failure; and
- c) Negligently and carelessly sold a vehicle which was negligently designed and manufactured as detailed in the preceding subparagraphs a and b.

10) That at the time of design and manufacture, the Defendant, in the exercise of reasonable care, knew or should have known of the risks posed by said defects.

11) That as a direct and proximate result of one or more of the foregoing negligent acts and/or omissions on the part of the defendant, as aforesaid, Plaintiff's leg was crushed, he bled profusely, was airlifted to Baylor Scott & White Medical Center, and ultimately suffered amputation of his right leg, among other injuries. He has suffered permanent pain, mental anguish, disability, disfigurement, and has incurred and become liable for large sums of money in hospital, medical and related expenses and will become liable for additional sums in the future. He has been permanently prevented from attending to his usual affairs and duties and has lost wages and income and will

lose additional wages and income in the future, all to his damage in a substantial amount.

WHEREFORE, Plaintiff demands judgment in an amount greater than SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), plus costs and interest.

/s/ Thomas Q. Keefe, III

Thomas Q Keefe, III

IL REG NO. 6294376

Attorney for Plaintiff

KEEFE, KEEFE & UNSELL, P.C.

ATTORNEY AT LAW

#6 EXECUTIVE WOODS COURT

BELLEVILLE, ILLINOIS 62226

618/236-2221

618/236-2194 (Facsimile)

Primary Email: tiffany@tqkeefe.com

Secondary Email: keefetq@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2022, I electronically filed the COMPLAINT with the Clerk of Court using the CM/ECF filing system.

/s/ Thomas Q. Keefe, III

Thomas Q Keefe, III

IL REG NO. 6294376

Attorney for Plaintiff